



Attorneys at Law  
32-72 Steinway Street, Suite 402  
Astoria, New York 11103

Frank A. Ortiz (1931-2016)  
Norma E. Ortiz

Tel. (718) 522-1117  
Fax (718) 596-1302  
email@ortizandortiz.com

Maria Perez-Brown, Of Counsel  
(Admitted in New York and New Jersey)

July 10, 2020

Hon. Naomi R. Buchwald  
500 Pearl Street  
New York, New York 10007

Re: Noble v. Mount Olivet Church  
Civil Case No. 18-cv-07871

Dear Judge Buchwald:

Please accept this letter motion pursuant to Local Rule 7.1(d) in support of the Plaintiff's request for permission to extend the time to answer the counter-claims set forth in the Defendants' Amended Answer. I have obtained the Defendants' counsel's consent to this request.

The Defendants filed an amended answer with counter claims asserting the Plaintiff (1) violated RPAPL 443(4)(A) and (2) committed fraud. [Docket No. 32] The claims rely heavily upon the alleged actions taken by attorneys Laura Browne and Jaime Ramirez and real estate broker Ledwin Oviedo (collectively referred to as the "Third Party Defendants").

On April 20, 2020, the Defendants filed a Third Party Complaint against the Third Party Defendants. [Docket No. 34] I contacted the Third Party Defendants about the complaint and requested information and documentation from them. I also recommended that they retain counsel. The information in the possession of the Third Party Defendants is pertinent to the Plaintiff's defense. Our discussions occurred while all of our respective offices were closed because of the mandatory business shut-down that was ordered by Governor Cuomo and we had limited access to our files.

The Third Party Complaint asserts many – if not most – of the factual allegations contained in the counter-claims. Defendants' counsel cordially agreed to provide me with an

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extension to answer the counterclaims. The Court approved that extension and required that the Plaintiff answer the counter claims by July 13, 2020.

However, after Ms. Browne retained counsel, her counsel recently wrote the Court and requested a conference to discuss a proposed pre-motion conference before filing a motion to dismiss the Third Party Complaint. By order dated July 7, 2020 [Docket No. 43], the Court granted the defendants's request for permission to file an amended Third Party Complaint within the next two weeks. Defendants' counsel informed me that he intends to file an amended complaint within the time frame set forth in the order.

The allegations of fraud contained in the counterclaim mirror the allegations contained in the Third Party Complaint. If the defendants intend to amend their allegations, I would like the opportunity to review the amended allegations before responding to the counterclaims. For these reasons, the Plaintiff respectfully requests that the Court permit her to file an answer to the counterclaims by a date consistent with the schedule to be set by the Court for Ms. Browne's response and scheduling for a motion to dismiss the Third Party Complaint.

Thank you for your time and consideration.

Very truly yours,

*S/Norma E. Ortiz*

cc: David Broderick, Esq.